

the gentleman from Baltimore county, (Mr. Ridgely,) would refrain from pressing it at this time. If he were urged now, he could not consent to vote for it, and he would feel himself compelled to ask for the yeas and nays.

Mr. RIDGELY replied, that he was as much opposed to the principle of placing the public money at the disposal of the executive as any one. But it has always been the practice to leave a sum in his control to meet such contingencies as may arise. And it was usual to place funds within his reach in case of any sudden exigency; and as the legislature would be the judge of the nature of the exigency, which it was impossible for this Convention to foresee, and to provide for, he could not see what evil could result from the adoption of the provision. The legislature only can be competent to judge of the exigency when it shall take place.

Mr. SPENCER admitted the full force of the remarks of the gentleman from Baltimore county; but we must bear in mind that we are now establishing a new government, and it becomes us to proceed with great care. Heretofore, experience has taught us that modes have been devised of getting round the Constitution. We ought to guard against such practices hereafter. We have imposed many restrictions on the legislature as to the appropriation of money, and if we now permit the legislature to place, at their discretion, a contingent fund without limit, at the disposition of the executive, it might open the door to great abuses hereafter. He saw so much cause for apprehension in this amendment, that he should not only vote against it, but he must call for the yeas and nays on the question. But if the gentleman would place a limit on the amount, or if he could obtain from the Governor any information as to the usual amount required, and would limit it to that amount, he would vote for it.

Mr. DONALDSON said, he could tell the gentleman from Queen Anne's, that the usual amount annually granted was \$5,000, and had recently been \$6,000. The executive cannot abuse the grant, as he must render his account of expenditures annually, to the legislature.

Mr. SPENCER moved to amend said amendment by adding at the end thereof, these words, "not exceeding six thousand dollars per year."

Mr. McHENRY expressed his opinion that there was no necessity to give any specific power to the Legislature; but, he believed, that when Congress made appropriations for contingent expenses, the objects for which the appropriations were made were specified, so that the grant should be for specific objects.

Mr. DONALDSON explained that the appropriations by Congress were not always specific.

Mr. McHENRY thought this proposition would be an anomaly in any Constitution. We came here to reform evils, but instead of imposing restrictions on the Legislative and Executive departments, we are opening the door for the entrance of new abuses. He would prefer to see this power of appropriation put in another form, where it would not be liable to abuse. Under

it, as it now stands, the Governor may go on to make extravagant expenditures. We are now commencing a new government—we are entering on a new state of things, and he desired to see an entire emancipation from the customs and traditions of the past.

Mr. BROWN would not vote for any restrictions. He thought there had been very good legislatures heretofore, and he did not doubt that there would be as good ones hereafter. All the acts of this body appeared to him to have a tendency to abolish legislation altogether. It was only necessary to look back at the various restrictions which have already been imposed on the Legislature, to be assured of this.

He would like to know how much further this Convention intended to go. We ought to be careful lest while stopping one hole in the Constitution, we make two fresh holes. He was very willing to impose restrictions on the Governor, but he was not disposed to go to the extent of depriving the Legislature of all power. Under such a pressure of business as there was at the last session of the General Assembly, the new restriction requiring the yeas and noes to be called, could not be enforced without great risk to important measures. While, on the one hand, you tie up the Legislature so as not to originate any business during the last three days of the session, you now come forward with this new restriction, which will lead to a great consumption of time. You may almost as well abolish all legislation at once. He begged gentleman who were thus eager after change, to pause awhile, and reflect on what may yet be brought forward. We have not yet done with this legislative report. He himself expected to make some proposition before it was disposed of. The House had established biennial sessions—he had voted for annual ones. You are restricting the Legislature until they will have nothing on their hands. He thought the Legislature as trustworthy as this body is, and that we ought not to tie down their hands.

Mr. McHENRY thought that it was a singular mode of protecting the Legislature by giving more power into the hands of the Executive.

Mr. BROWN replied that this proposition gave power to the Legislature.

Mr. McHENRY rejoined. We should labor to throw power into the hands of the people, who only are worthy of entire confidence. They are trust-worthy; but he was not disposed to put too much trust in mere agents. He admitted the necessity of employing agents, but he was desirous that they should be employed under a faithful and vigilant supervision.

Mr. DONALDSON suggested that there were a large number of accounts which the Governor settled. There would be difficulty attending a constitutional provision of a particular amount for this contingent fund. It might prove either too large or too small, according to circumstances, which we cannot foresee. It must be left to the Legislature to make the sum appropriated correspond with the necessity. If the sum we now fix should be too large for the necessities of some particular year, then there would be a te -